UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/48/84
S/25272
10 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
COOPERATION BETWEEN THE UNITED
NATIONS AND THE CONFERENCE
ON SECURITY AND COOPERATION
IN EUROPE

SECURITY COUNCIL
Forty-eighth year

Letter dated 10 February 1993 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour, on behalf of the Chairman-in-Office of the Conference on Security and Cooperation in Europe (CSCE), to enclose the text of the decisions taken by the Committee of Senior Officials of CSCE at its meeting at Prague from 2 to 4 February 1993 on matters related to cooperation between the United Nations and CSCE (see annex).

I would be grateful if you could arrange for the present letter and the attached decisions to be circulated as a document of the General Assembly, under the item entitled "Cooperation between the United Nations and the Conference on Security and Cooperation in Europe", and of the Security Council.

(Signed) Peter OSVALD
Ambassador
Permanent Representative of
Sweden to the United Nations

ANNEX

Decisions taken by the Committee of Senior Officials of the Conference on Security and Cooperation in Europe at its meeting at Prague from 2 to 4 February 1993

1. Terms of reference for the CSCE mission to Estonia

Objective of the mission

The objective of the mission is to promote stability, dialogue and understanding between the communities in Estonia.

Mission activities

To this end the mission will:

(a) Establish and maintain contacts with competent authorities on both the national and the local level, in particular with those responsible for citizenship, migration, language questions, social services and employment;

(b) Establish and maintain contacts with relevant non-governmental institutions and organizations, including political parties, trade unions and mass media organizations;

(c) Collect information and serve as a clearing-house for information, technical assistance and advice on matters relating to the status of the communities in Estonia and the rights and duties of their members;

(d) Contribute to the efforts of Estonian national and local authorities to re-create a civic society, inter alia, through the promotion of local mechanisms to facilitate dialogue and understanding;

(e) Keeping in mind the temporary nature of the mission, consider ways and means of transferring its responsibilities to institutions or organizations representing the local population.

In its work the mission will take into account the findings of the CSCE/Office for Democratic Institutions and Human Rights (ODIHR) mission to Estonia.

Size and composition

The mission will initially number six members. All participating States are eligible to participate in the mission.

Mission area

The mission will operate in the whole territory of the Republic of Estonia, but its activities will focus on the northern and north-eastern parts of the country. The mission will establish its headquarters in Tallinn and other offices in Narva and Kohtla-Järve.

Coordination

The mission will exchange information and cooperate on relevant questions with the Office for Democratic Institutions and Human Rights and, in questions falling within his competence, with the High Commissioner on National Minorities.

The mission will exchange information and coordinate, as necessary, with representatives of the United Nations, of other international organizations and of CSCE participating States in Estonia.

Reports

The Head of Mission will submit regular reports to the Chairman-in-Office.

Conditions of service

Provisions ensuring the safety and freedom of movement of the members of the mission, access to the local population, communities and authorities, privileges and immunities will be included in the Memorandum of Understanding to be signed by the Head of Mission and the Government of Estonia.

Duration and review procedures

The mission will operate for a period of six months. The operation, duration and other modalities of the mission will be reviewed, as appropriate, by the Committee of Senior Officials.

2. Former Yugoslavia

Further to the decisions of the Stockholm Council Meeting, the Committee of Senior Officials (CSO) decides the following:

1. In order to strengthen the efforts of the missions of long duration to Kosovo, Sandjak and Vojvodina to prevent the spread of the conflict, a supplementary budget of $9,262,000 Austrian schillings is approved.

Participating States are urged to pay their assessed share of the budget not later than 15 February 1993. Furthermore, their early contributions of additional personnel and equipment are encouraged.

2. To facilitate cooperation between the CSCE spillover mission and the United Nations Protection Force in the former Yugoslav Republic of Macedonia, the Chairman of CSO is requested to continue his consultations on a possible cooperation agreement with the appropriate United Nations authorities based on the draft presented by the United Nations and comments received from the Head of Mission and delegations. The Chairman of CSO will present a report on the results to the CSO Vienna Group for its consideration and possible decisions.

3. In order to enhance the implementation of United Nations sanctions, CSO decides to establish the post of a Sanctions Coordinator. The Chairman-in-Office appoints Ambassador Antonio Napolitano as Sanctions Coordinator (see appendix).

4. Welcoming the work of the sanctions assistance missions in Hungary, Romania, Bulgaria and the former Yugoslav Republic of Macedonia, CSO approves a budget for these missions of 4,195,110 Austrian schillings.

5. CSO considered the report of the CSCE mission to inspect alleged places of detention in the Republic of Serbia and Montenegro from 13 to 18 January 1993. Taking into account the need to complete the work undertaken by the previous missions as well as the need to acquire additional information, CSO decides to dispatch a new mission to inspect alleged places of detention, building upon the work of the rapporteurs.

The new mission should include members from the latest mission. The report should be submitted to the CSO Vienna Group for its consideration and recommendations for possible further action. The report should also be brought to the attention of the United Nations.

6. CSO noted that the rapporteurs on Croatia and Bosnia-Herzegovina under the Moscow Human Dimension Mechanism intend shortly to present their proposals on making the principle of personal accountability effective. CSO agreed on the importance of rapid progress in this field. CSCE participating States will encourage an acceleration in the work of the United Nations Commission of Experts. Furthermore, CSO requests that the CSO Vienna Group, after having received these proposals, consider possible further action, including immediate publication and transmittal to the United Nations.

APPENDIX

Sanctions Coordinator

1. Pursuant to its decision of 18 September 1992 to establish Sanctions Assistance Missions (SAMs) to assist with the implementation of sanctions against Serbia and Montenegro, CSO recognizes the need for coordination of the activity of SAMs, national authorities and regional or international organizations on sanctions, and therefore decides to establish the post of EC/CSCE Sanctions Coordinator (see attachment).

2. The Sanctions Coordinator will oversee the operation of the implementation of sanctions, coordinate with SAMs and Sanctions Assistance Mission Communication Centre (SAMCOMM), liaise with and between countries in the region on the implementation of sanctions, advise States and relevant international bodies on how sanctions should be implemented more effectively and provide basic direction and coordination between all levels and participants involved with sanctions, including liaison with and reports to the United Nations Sanctions Committee. CSO invites the United Nations Security Council to take appropriate steps to ensure that the Sanctions Coordinator has the full support and cooperation of the appropriate United Nations bodies. CSO urges the United Nations Security Council and Sanctions Committee to address and examine as a matter of urgency the issue of direct losses of the countries in the region resulting from the implementation of sanctions.

ATTACHMENT

1. CSO agreed the following modalities and mandate for the Sanctions Coordinator.

Mandate

2. The tasks of the Sanctions Coordinator will include:

(a) Oversight of sanctions to assess the implementation and effect of existing sanctions measures and to advise on measures to implement sanctions more effectively.

(b) To provide countries in the region with advice and assistance as requested. In particular:

(i) To provide technical advice, in cooperation with SAMs, on customs procedures to the local customs authorities;

(ii) To coordinate requests for further practical and technical assistance to apply sanctions and the response of donor countries to meet their requests;

(iii) To liaise between and assist relevant authorities so that traffic denied transit through Serbia and Montenegro is ensured smooth passage by alternative routes through the neighbouring States;

(iv) To help to develop procedures to facilitate the passage and verification of shipments exempted by the United Nations Sanctions Committee;

(v) To assist and give advice, based on prior rulings of the United Nations Sanctions Committee, to help to solve disputes on practical application of sanctions.

(c) To provide legal advice to enable neighbouring and other States to make full use of existing legislation or, where necessary, to advise on the need for new legislation, to ensure that they have effective legal powers to counter and prosecute violations of sanctions.

(d) To liaise with and between SAMs to assess their effectiveness and operational strength and to make recommendations concerning their activities.

(e) To bring to the attention of and consult with neighbouring and other States specific measures that they should take to improve their application of sanctions.

(f) To bring violations and suspected violations to the attention of CSCE, the United Nations Sanctions Committee and concerned Governments.

(g) To consult with concerned Governments on investigation and prosecution of alleged violations of the sanctions.

(h) To report or provide advice on request to CSO, representatives of participating States meeting in Vienna, the United Nations Security Council and Sanctions Committee, the co-Chairmen of the International Conference on the Former Yugoslavia, the European Community Presidency and other appropriate bodies.

(i) To chair meetings of the EC-CSCE Sanctions Liaison Group in Vienna.

Composition

3. The Sanctions Coordinator will be a senior, authoritative and respected figure. He or she will be supported by a small team, including a legal adviser, a customs adviser and a secretary. One of the advisers will be designated as a deputy and will act in the coordinator's stead during absences from Brussels. All CSCE participating States will be eligible to nominate candidates for the post of Sanctions Coordinator or for places on his team. The Sanctions Coordinator will appoint members of his team from a list of candidates nominated by participating States.

Chain of command

4. The Sanctions Coordinator will report to the Chairman-in-Office at least once a month indicating difficulties that need to be addressed. The reports will then be immediately distributed to participating States by the CPC Secretariat. They may be discussed by the Sanctions Liaison Group or by participating States in the CSO Vienna Group.

The Sanctions Coordinator will at the same time present his reports to the President of the United Nations Security Council, the Chair of the United Nations Sanctions Committee, the co-Chairmen of the International Conference on the Former Yugoslavia and the European Community Presidency, and to other appropriate bodies, as requested.

Location

5. The Sanctions Coordinator will be co-located with the SAMCOMM office in Brussels, so that he can work in close coordination with the SAMCOMM.

Travel

6. The Sanctions Coordinator and members of his team will travel regularly to States in the region, and other States as necessary, to assess the implementation of sanctions, provide technical and legal advice and assess the operation of the SAMs. As required, he will travel to brief appropriate bodies on the implementation of sanctions, to advise on measures for the more effective implementation of sanctions and to chair the Sanctions Liaison Group.

Finance

7. The host authority will provide office accommodation and equipment free of charge (including furniture, computers/word processors, photocopiers, telephone and facsimile facilities). Sending States will meet the direct costs of their nationals seconded as Sanctions Coordinator or as members of his team (including per diem and accommodation), and will provide their nationals with appropriate vehicles. Agreed common costs will be met by all CSCE participating States according to the CSCE scale of distribution.

Budget and schedule of payments

8. A budget of 1,600,000 Austrian schillings is established within the CPC Secretariat's budget to cover common costs for an initial six-month operating period with effect from the date of appointment of the Sanctions Coordinator.

The participating States will be requested by the CPC Secretariat to make their assessed contributions to cover the agreed common costs payable by 1 March 1993. Voluntary contributions will be welcomed.

Duration

9. The Sanctions Coordinator will be appointed for an initial period of six months. Members of his team will serve for the same period.

Review procedures

10. The operation of the Sanctions Coordinator and his team and other modalities, including duration, will be reviewed regularly by CSO.

3. CSCE mission to the Republic of Moldova

The Committee of Senior Officials

Noted with appreciation the activities and the final report of Dr. Adam D. Rotfeld, Personal Representative of the Chairman-in-Office, as well as the earlier interim report with addenda and

1. Decided to establish a CSCE mission to the Republic of Moldova in order to facilitate the achievement of a lasting, comprehensive political settlement of the conflict in all its aspects, based on the following understanding expressed by the parties to the conflict, and other interested parties, to the Personal Representative of the Chairman-in-Office:

(a) Consolidation of the independence and sovereignty of the Republic of Moldova within its current borders and reinforcement of the territorial integrity of the State along with an understanding about a special status for the Trans-Dniester region;

(b) An agreement on the withdrawal of foreign troops;

(c) Effective observance of international obligations and commitments regarding human and minority rights;

(d) Assistance in monitoring the implementation of agreements on a durable political settlement.

The mission will assist the parties to the conflict in opening a political dialogue and entering into negotiations on a lasting political settlement. It will stand ready to assist the parties in their efforts to remove by diplomatic means the sources of conflict before violence results.

The mission will be launched no later than 31 March 1993, for an initial period of six months. The question of a possible extension of the duration of the mission beyond the initial period will be reviewed by CSO.

2. Authorized the Chairman-in-Office, after appropriate consultations, to appoint a Head of Mission.

3. Requested the Chairman-in-Office to consult the United Nations, and other international organizations with an active interest in contributing to the resolution of the conflict, on coordination and cooperation with the mission. The Chairman-in-Office will report on the results of these consultations to the CSO Vienna Group.

4. Further requested the CSO Vienna Group to elaborate and approve by 15 March 1993, on a preliminary basis, the terms of reference and budget for the mission, taking into account the recommendations of the Personal Representative of the Chairman-in-Office. The terms of reference and budget will be submitted to CSO for final approval at its next meeting. The Conflict Prevention Centre Secretariat is authorized to bill participating States immediately following the preliminary approval of the budget.

4. Decision on Georgia

The Committee of Senior Officials,

Noting with satisfaction the initial progress achieved in the implementation of its decision of 6 November 1992,

Reiterating the urgent need for a lasting and comprehensive political solution to the conflicts in Southern Ossetia and Abkhazia,

Decides to extend the mandate of the mission for a period of six months, with effect from 24 February 1993;

Authorizes the increase of the number of the members of the mission by two additional diplomats and one additional military officer, with immediate effect;

Authorizes the Personal Representative to adjust the budget approval for the period December 1992-February 1993 to the actual needs, not exceeding the authorized total costs;

Instructs the Financial Committee to examine the budget of the mission for the period March-August 1993 and present it to the CSO Vienna Group for decision not later than 15 February 1993;

Urges participating States to transfer their contributions as early as possible, but in any case in time to ensure the financing of the mission;

Requests the Chairman-in-Office and the Personal Representative of the Chairman-in-Office in Georgia to intensify contacts with the United Nations and other relevant international organizations, to elaborate recommendations on cooperation and coordination of their efforts for the establishment of a cease-fire and achievement of a political solution to the conflict in Abkhazia and to submit these recommendations to the next meeting of CSO.

5. Decision on Tajikistan

Pursuant to the relevant decision of the Stockholm Council Meeting, taking into consideration the letter from the Foreign Minister of the Republic of Tajikistan of 30 December 1992 and the letter from the Foreign Minister of the Republic of Kazakhstan to the Chairman-in-Office of 19 January 1993, the Committee of Senior Officials (CSO) requests the Chairman-in-Office to dispatch a personal representative to Tajikistan, accompanied by a representative of the Office for Democratic Institutions and Human Rights (ODIHR), to examine the situation in the country. In preparing his/her visit and recommendations, the representative shall as a first step consult closely with the relevant United Nations representatives and carefully consider the ongoing efforts by the United Nations in Tajikistan. The personal representative will report his/her findings to the CSO Vienna Group not later than 15 March 1993 for its consideration and recommendations to CSO.